

1        REMARKS

2              The specification provides support for the continuous dealing with multiple machines which  
3        can be found on page 8 lines 8-11 and on page 9 lines 13-17. The support for allowing the player  
4        to select the location in order to add to the player sense of control is found on page 9 lines 1-8 and  
5        page 7 lines 12-22 and page 8 lines 1-7 in the specification.

6              The two problems which are not rendered obvious by the prior art in this case is the use of  
7        one or more machines dealing, sequentially, multiple dice rolls utilizing multiple decks in order to  
8        provide for continuous play.

9              Dealing and continually reshuffling a single deck makes sense in games where statistical  
10       significance can be minimized based on the unique combinations associated with games such as  
11       black jack.

12              In a dice game, the statistical variation is provided based on the probability of a certain  
13       outcome utilizing a completely randomized result which requires reshuffling on every occasion.

14              The present patent shows the use of multiple decks being dealt by one or more machines  
15       sequentially in order to give continuous play where one deck can be reshuffled while another  
16       machine deals or where a machine could deal multiple hands before reshuffling the multiple decks  
17       from which one card from each deck is dealt at a time. It also teaches using multiple locations  
18       receiving cards from multiple decks (new claim 52).

19              Part of the reason that this works so poorly if the decks are not maintained separately, is that  
20       the absence of a single card can eliminate a range of results. For example, the absence of ones would  
21       prevent a 2 or a 3 from being possible. Such an absence would not be dis-positive in a game like  
22       blackjack, but is critical in the decision making process in a wager based on the 2 or the 3 appearing  
23       and hence constant reshuffling is necessary in a craps game.

1        Where multiple decks in traditional card handling have been used in order to change the odds  
2        and prevent counting, here multiple decks allow for continuous play and this is not taught in the prior  
3        art and is not suggested by the prior art even though there is a long felt and unfulfilled need for  
4        providing a method for more continuous and more randomized play.

5           One of the reasons that more randomized play is possible is that with modern card dealing  
6        technology as is taught in the patent, a card may be selected from a random location in a deck as  
7        opposed to having random shuffling of the deck.

8           What this means is that the cards can be put in in any order and the results are still  
9        randomized because of the random selection of the location from which the card is dealt.

10          The other modification taught herein is providing a method for dealing the cards but allowing  
11        player input. In traditional dice games, the player handling the dice allows for the player to have an  
12        effect on the randomization of the dice. In fact, some people have earned the reputation as being  
13        capable of manipulating the dice to a limited degree in order to affect the outcome.

14          While this extent of dice handling is undesirable, it is important to allow the players to know  
15        that the entire outcome is not controlled by a machine which may be manipulated.

16          In order to accomplish this, as set out in claim 45, the dealer is allowed to select the card  
17        which is utilized either before or after the card is dealt to a particular space.

18          This means that while the machine could presumably select one or more cards from which  
19        to choose, ultimately the player has the decision as to which card is selected although this decision  
20        obviously has to be made prior to the time when the player knows what the card shows.

21          The claims have been amended in order to clearly show these improvements which were not  
22        clearly disclosed by the claims prior to this amendment. Claims 1-37 are cancelled. New claim 38-  
23        52 are added.

1       A major innovation of the Dice Card Game over the existing prior art lies in the use of a  
2 mechanical dealing machine in order to select one or more random cards.

3       Similarly no other prior art game suggest one or more machines dealing sequentially multiple  
4 dice rolls utilizing multiple decks in series in order to provide for a continuous game.

5       Since this machine can deal from multiple decks, it allows for more continuous play.

6       Another improvement not present in the prior art, is the provision of multiple locations for  
7 the cards and the selection of a single card by the user, either in advance of the deal or subsequent  
8 to the deal.

9       This particular novel aspect of the game is not available or suggested in prior art craps games  
10 and gives the user of the game the ability to add a randomizing element is not present where a dealer  
11 deck of cards has the exclusive control over the deck. While few people have the ability to  
12 manipulate cards in this environment, this particular technology allows the user and added security  
13 of the game is randomized and not controlled by the house.

14       There is no prior art that suggests combining a selection of a card from multiple spaces and  
15 it is left at least one or multiple cards from a plurality of spaces and excluding other cards in a craps  
16 game wherein a number of cards are substituted for a number of dice.

17       CONCLUSION

18       For all of the reasons advanced above, Applicant respectfully submits that the application is  
19 in condition for allowance and that action is earnestly solicited.

20       No additional fee is believed necessary.

21       The commissioner is hereby authorized to charge any additional fees which may be required  
22 for this amendment, or credit any overpayment to Deposit Account 06-2129 in the name of Gregory  
23 M. Friedlander.

1           In the event that an extension of time is required, or which may be required in addition to that  
2       requested in a petition for an extension of time, the Commissioner is requested to grant a petition  
3       for that extension of time which is required to make this response timely and is hereby authorized  
4       to charge any fee for such an extension of time or credit any overpayment for an extension of time  
5       to Deposit account 06-2129.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

16 I hereby certify that this correspondence is being deposited with the United State Postal  
17 Service as Express Mail NO. EV 278559186 US in an envelope addressed to: Commissioner of  
18 Patents and Trademarks, Mail Stop Non Fee Amendment, Alexandra, VA 22313 on the 11 day of  
19 August, 2004.

~~GREGORY M. FRIEDLANDER, 31,511~~